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**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

ECOLOGICAL RIGHTS
FOUNDATION, a non-profit corporation

Plaintiff,

v.

UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY, and
MICHAEL S. REGAN, as Administrator
of the United States Environmental
Protection Agency,

Defendants.

Case No. 4:24-cv-03665-HSG

**STIPULATION AND ORDER TO
CONTINUE CASE MANGEMENT
DEADLINES (as modified)**

1 Plaintiff Ecological Rights Foundation and Defendants United States Environmental
2 Protection Agency (“EPA”) and Michael S. Regan, Administrator of the EPA (collectively, the
3 “Parties”) stipulate as follows:

4 1. The Parties have initiated settlement negotiations and are making meaningful progress
5 on reaching a mutually agreeable solution.

6 2. The Parties agree that a 45-day extension of case management deadlines will be
7 beneficial to the Parties and conserve efficient use of the Court’s resources while the Parties
8 continue to negotiate a potential resolution to this case without further litigation.

9 3. The parties agree to extend the Initial Case Management Conference to Tuesday
10 November 12, 2024. *See* ECF 20.

11 5. The Parties have stipulated to extend the Defendants’ responsive pleading deadline to
12 October 15. ECF 18.

13 6. The Parties understand that the current case management deadlines have been
14 established by Docket entries 4 (Initial Case Management Scheduling Order), 14 (Order
15 Reassigning Case), and 15 (Clerk’s Notice Setting a Case Management Conference). The current
16 case management deadlines are as follows:

17 September 3, 2024 – Deadline to file ADR Certification

18 September 3, 2024 – Deadline to meet and confer re: initial disclosures, early
19 settlement, ADR process selection, and discovery plan

20 September 16, 2024 – Deadline to make initial disclosures

21 September 17, 2024 – Deadline to file Joint Case Management Statement

22 September 24, 2024 – Initial Case Management Conference

23 7. With the exception of the Initial Case Management Conference, the Parties seek to
24 continue all case management deadlines by 45 days. The Parties are seeking a further
25 continuance of the Initial Case Management Conference to allow it to fall on a Tuesday, when
26 the Court conducts case management conferences. The parties agree to amend the deadlines as
27 follows:

28 October 18, 2024 – Deadline to file ADR Certification

October 18, 2024 – Deadline to meet and confer re: initial disclosures, early settlement, ADR process selection, and discovery plan

October 31, 2024 – Deadline to make initial disclosures

November 1, 2024 – Deadline to file Joint Case Management Statement

November 12, 2024 – Initial Case Management Conference

8. The Parties respectfully request that this Court enter this stipulation and extend all case management deadlines as outlined above.

9. The undersigned counsel for Defendants attest that the other signatories listed below concur in the filing of this document.

Dated: September 3, 2024

Respectfully submitted,

s/ Elizabeth Berg

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s/ Christopher Sproul

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Counsel for Defendants

Counsel for Plaintiff

ORDER

The Parties' Joint Stipulation to continue all case management deadlines is **GRANTED** and the following deadlines are entered:

October 18, 2024 – Deadline to file ADR Certification

October 18, 2024 – Deadline to meet and confer re: initial disclosures, early settlement, ADR process selection, and discovery plan

October 31, 2024 – Deadline to make initial disclosures

November 1, 2024 – Deadline to file Joint Case Management Statement

November 12, 2024 at 2 p.m. – Initial Case Management Conference via a Zoom webinar. The Zoom webinar information and instructions remain the same as previously provided in docket no. 15.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Date 9/3/2024


The Honorable Haywood S. Gillam, Jr.